

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

**RONALD MARK CLARK, Individually
and as Next Friend and Guardian of
Forrest Manning, a Minor; and MARGARET
KELLY CLARK, Individually and as Next
Friend and Guardian of Forrest Manning, a
Minor**

PLAINTIFFS

v. Case No. 4:07-cv-477-DPM

**JOHN BAKA, M.D.; JOHN V. BAKA,
M.D., P.A.; SALINE COUNTY MEDICAL
CENTER; ST. PAUL MERCURY INSURANCE
COMPANY; ANDREA DENISE HALL;
PATRICIA LYNN DYER; PAULA RENEE
DYER; CONTINENTAL CASUALTY
COMPANY; QUORUM HEALTH
RESOURCES, LLC; and HOSPITAL
MANAGEMENT PROFESSIONALS, INC.**

DEFENDANTS

JUDGMENT

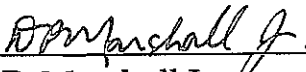
The Court has, in a series of earlier orders, dismissed with or without prejudice all of the Clarks' claims (both individual and representative) against all Defendants except the Clarks' representative claim against John Baka, M.D., and his professional association, John V. Baka, M.D., P.A. *Document Nos. 50, 52, 73, 345, 351, & 377.* The Court now enters judgment accordingly on all those prior orders.



Only one claim was left standing for trial: the Clarks' negligence claim on behalf of Forrest Manning, as his next friends and guardians, against Dr. Baka and his professional association. The parties agreed before trial that Dr. Baka and his professional association were one for purposes of the proof, the instructions, and the verdict. The parties tried the negligence claim to a twelve-person jury from 1 February 2011 to 18 February 2011. Dr. Baka twice moved during the trial for a judgment as a matter of law on that claim. The Court denied these motions. After deliberations, on February 18th the jury returned a verdict in favor of Dr. Baka. The verdict is attached and incorporated.

On the negligence claim, therefore, the Court enters judgment on the jury's verdict for John Baka, M.D., and John V. Baka, M.D., P.A., and against Ronald Mark Clark, as next friend and guardian of Forrest Manning, a minor, and Margaret Kelly Clark, as next friend and guardian of Forrest Manning, a minor. Defendants are entitled to costs as the Court may later allow on motion.

So Ordered.



D.P. Marshall Jr.
United States District Judge

25 February 2011

VERDICT FORM

Question No. 1: Do you find by a preponderance of the evidence that Dr. John Baka was negligent in diagnosing or treating Becky Manning and Forrest Manning and that Dr. Baka's negligence was a proximate cause of any damages Forrest may have sustained?

Yes _____

No X

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS
FEB 18 2011
JAMES W. McCORMACK, CLERK
By: [Signature]
DEP. CLERK

Question No. 2: If you answered Question No. 1 "Yes," then state the total amount of damages that you find, based on a preponderance of the evidence, Forrest Manning sustained in the occurrence: \$ _____.

Sign and date this form and advise the Court that you have finished your deliberations.

[Signature]

Foreperson

2/18/11